

## **REMARKS**

This is a full and timely response to the outstanding Office Action mailed August 12, 2008. Upon entry of this response, claims 1 – 46 remain pending. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **I. Rejections Under 35 U.S.C. §101**

The Office Action indicates that claims 14 – 18 stand rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. The Office Action argues that “recitation of ‘means for’ does not necessarily result in a ‘statutorily recognized claim.’” The Office Action continues, arguing that “[A]pplicant has shown within the [A]pplicant’s specification that the recited means of claims 14 – 18 are implemented as software. Applicants disagree. More specifically, as illustrated, among other places, on page 3, the present application discloses a “client 12 [that] comprises a processor or central processing unit (CPU) 20; a memory 22 having an operating system 24...” (paragraph [0010]). Further, also on page 8, the present application discloses that the “[s]ecurity module 70 may comprise software, hardware, or a combination of software and hardware” (paragraph [0012]). As illustrated in these passages, at least one embodiment for a means component of claims 14 – 18 may include a specific hardware component that is configured to implement the claimed function. Similarly, other embodiments may include a processor and/or a memory (and/or other components) that facilitate the claimed function. The Office Action neglects the disclosure of the corresponding structure in order to impermissibly limit the scope of claims 14 – 18 to only software, contrary to 35 U.S.C. §112¶6 and MPEP §2181. Applicants explicitly utilize the “means for” language to invoke 35 U.S.C. §112¶6, to thereby preclude nonstructural elements disclosed in the specification. Accordingly, Applicants traverse this rejection and submits that claim 14 – 18 meet all the requirements of 35 U.S.C. §101.

## II. Rejections Under 35 U.S.C. §102

### A. Claim 1 is Allowable Over *Thompson*

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by European Patent Number 1,111,495 ("*Thompson*"). Applicants respectfully traverse this rejection on the grounds that *Thompson* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 1 recites:

A computer security system, comprising:  
a processor; and  
a memory component that stores:

a security module adapted to control access to a secure computer resource by a user via a client based on verification of a security credential provided by the user; and  
verification data disposed on the client and accessible by the security module, the security module adapted to ***enable the user to recover the security credential from the client based on a response received from the user associated with the verification data.***

***(Emphasis added).***

Applicants respectfully submit that claim 1 is allowable over the cited art for at least the reason that *Thompson* fails to disclose, teach, or suggest a "computer security system, comprising... a memory component that stores... verification data disposed on the client and accessible by the security module, the security module adapted to ***enable the user to recover the security credential from the client based on a response received from the user associated with the verification data***" as recited in claim 1. More specifically, the Office Action argues that *Thompson*, with regard to FIG. 4:

herein disclosed is information disposed on the client which implements a recovery mechanism... for the purpose of examination, the examiner interprets "to recover the security credential from the client" in a manner consistent with the applicant's specification. Specifically, the applicant states in paragraph 15, "For example, as used herein, "recovering" security credential 100 includes enabling the user to independently reset security credential 100, and/or automatically having security credential 100 reset for the user by security module 70 without assistance from support personnel or an external computer resource.

(OA page 3, line 13).

Applicants commend the Examiner for referring to the specification to determine the proper scope of claim elements, but respectfully disagrees with this analysis for at least the reason that the Office Action appears to analyze the passage cited from the specification in a vacuum. More specifically, beginning on the first line paragraph [0015], the present application states “[v]erification data 94 comprises information associated with a query/response mechanism to enable the user of client 12 to independently recover a security credential 10 independent of a computer resource external to client 12” (emphasis added). As illustrated in this passage, the term “recover” does not appear to be limited to merely resetting a security credential. The term “recover” instead is to be viewed as an action that is utilized when the security credential is lost and/or is otherwise unavailable to a user.

Conversely, *Thompson* discloses receiving a password from a user (FIG. 4, block 404), determining whether the received password is valid (FIG. 4, block 408), and changing the password (FIG. 4, blocks 412, 414, 420). As illustrated in FIG. 4, the password of *Thompson* is known, and the user is merely changing the known password to a new known password. Consequently, nothing in *Thompson* is “recovered” and thus, the Office Action has failed to establish a proper 34 U.S.C. §102(b) rejection. For at least these reasons, Applicants respectfully traverse this rejection, and submits that claim 1 is allowable in view of the cited art.

**B. Claim 14 is Allowable Over *Thompson***

The Office Action indicates that claim 14 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by European Patent Number 1,111,495 (“*Thompson*”). Applicants respectfully traverse this rejection on the grounds that *Thompson* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 14 recites:

A computer security system, comprising:  
means for controlling access to a secure computer  
resource associated with a client based on verification of a  
security credential provided by a user of the client; and

means for accessing verification data disposed on the client to ***enable the user to recover the security credential based on a response received from the user via the controlling means.***

***(Emphasis added).***

Applicants respectfully submit that claim 14 is allowable over the cited art for at least the reason that *Thompson* fails to disclose, teach, or suggest a “computer security system, comprising... means for accessing verification data disposed on the client to ***enable the user to recover the security credential based on a response received from the user via the controlling means***” as recited in claim 14. More specifically, the Office Action argues that *Thompson*, with regard to FIG. 4:

herein disclosed is information disposed on the client which implements a recovery mechanism... for the purpose of examination, the examiner interprets “to recover the security credential from the client” in a manner consistent with the applicant's specification. Specifically, the applicant states in paragraph 15, “For example, as used herein, “recovering” security credential 100 includes enabling the user to independently reset security credential 100, and/or automatically having security credential 100 reset for the user by security module 70 without assistance from support personnel or an external computer resource.

(OA page 3, line 13).

Applicants commend the Examiner for referring to the specification to determine the proper scope of claim elements, but respectfully disagrees with this analysis for at least the reason that the Office Action appears to analyze the passage cited from the specification in a vacuum. More specifically, beginning on the first line paragraph [0015], the present application states “[v]erification data 94 comprises information associated with a query/response mechanism to enable the user of client 12 to independently recover a security credential 10 independent of a computer resource external to client 12” (emphasis added). As illustrated in this passage, the term “recover” does not appear to be limited to merely resetting a security credential. The term “recover” instead is to be viewed as an action that is utilized when the security credential is lost and/or is otherwise unavailable to a user.

Conversely, *Thompson* discloses receiving a password from a user (FIG. 4, block 404), determining whether the received password is valid (FIG. 4, block 408), and changing the password (FIG. 4, blocks 412, 414, 420). As illustrated in FIG. 4, the password of *Thompson* is known, and the user is merely changing the known password to a new known password. Consequently, nothing in *Thompson* is “recovered” and thus, the Office Action has failed to establish a proper 34 U.S.C. §102(b) rejection. For at least these reasons, Applicants respectfully traverse this rejection, and submits that claim 14 is allowable in view of the cited art.

**C. Claim 19 is Allowable Over *Thompson***

The Office Action indicates that claim 19 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by European Patent Number 1,111,495 (“*Thompson*”). Applicants respectfully traverse this rejection on the grounds that *Thompson* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 19 recites:

A computer security method, comprising:  
receiving a request at a client to access a secure computer resource, a security credential required from a user to access the secure computer resource;  
presenting verification data disposed on the client to the user; and  
***enabling the user to recover the security credential from the client based on a response received from the user to the verification data.***

***(Emphasis added).***

Applicants respectfully submit that claim 19 is allowable over the cited art for at least the reason that *Thompson* fails to disclose, teach, or suggest a “computer security method, comprising... ***enabling the user to recover the security credential from the client based on a response received from the user to the verification data***” as recited in claim 19. More specifically, the Office Action argues that *Thompson*, with regard to FIG. 4:

herein disclosed is information disposed on the client which implements a recovery mechanism... for the purpose of examination, the examiner interprets “to recover the security credential from the client” in a manner consistent with the

applicant's specification. Specifically, the applicant states in paragraph 15, "For example, as used herein, "recovering" security credential 100 includes enabling the user to independently reset security credential 100, and/or automatically having security credential 100 reset for the user by security module 70 without assistance from support personnel or an external computer resource.

(OA page 3, line 13).

Applicants commend the Examiner for referring to the specification to determine the proper scope of claim elements, but respectfully disagrees with this analysis for at least the reason that the Office Action appears to analyze the passage cited from the specification in a vacuum. More specifically, beginning on the first line paragraph [0015], the present application states "[v]erification data 94 comprises information associated with a query/response mechanism to enable the user of client 12 to independently recover a security credential 10 independent of a computer resource external to client 12" (emphasis added). As illustrated in this passage, the term "recover" does not appear to be limited to merely resetting a security credential. The term "recover" instead is to be viewed as an action that is utilized when the security credential is lost and/or is otherwise unavailable to a user.

Conversely, *Thompson* discloses receiving a password from a user (FIG. 4, block 404), determining whether the received password is valid (FIG. 4, block 408), and changing the password (FIG. 4, blocks 412, 414, 420). As illustrated in FIG. 4, the password of *Thompson* is known, and the user is merely changing the known password to a new known password. Consequently, nothing in *Thompson* is "recovered" and thus, the Office Action has failed to establish a proper 34 U.S.C. §102(b) rejection. For at least these reasons, Applicants respectfully traverse this rejection, and submits that claim 19 is allowable in view of the cited art.

#### **D. Claim 31 is Allowable Over *Thompson***

The Office Action indicates that claim 31 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by European Patent Number 1,111,495 ("*Thompson*"). Applicants

respectfully traverse this rejection on the grounds that *Thompson* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 31 recites:

A computer security system, comprising:  
a processor; and  
a memory component that stores:  
a collection module adapted to receive and store  
verification data associated with a user on a client; and  
a recovery module adapted to ***enable the user to  
recover from the client a security credential associated with  
accessing a secure computer resource via the client by  
verifying the user response to the verification data.***  
(Emphasis added).

Applicants respectfully submit that claim 31 is allowable over the cited art for at least the reason that *Thompson* fails to disclose, teach, or suggest a “computer security system, comprising... a memory component that stores... a recovery module adapted to ***enable the user to recover from the client a security credential associated with accessing a secure computer resource via the client by verifying the user response to the verification data***” as recited in claim 31. More specifically, the Office Action argues that *Thompson*, with regard to FIG. 4:

herein disclosed is information disposed on the client which implements a recovery mechanism... for the purpose of examination, the examiner interprets “to recover the security credential from the client” in a manner consistent with the applicant's specification. Specifically, the applicant states in paragraph 15, “For example, as used herein, “recovering” security credential 100 includes enabling the user to independently reset security credential 100, and/or automatically having security credential 100 reset for the user by security module 70 without assistance from support personnel or an external computer resource.  
(OA page 3, line 13).

Applicants commend the Examiner for referring to the specification to determine the proper scope of claim elements, but respectfully disagrees with this analysis for at least the reason that the Office Action appears to analyze the passage cited from the specification in a vacuum. More specifically, beginning on the first line paragraph [0015], the present application states “[v]erification data 94 comprises information associated with a query/response

mechanism to enable the user of client 12 to independently recover a security credential 10 independent of a computer resource external to client 12” (emphasis added). As illustrated in this passage, the term “recover” does not appear to be limited to merely resetting a security credential. The term “recover” instead is to be viewed as an action that is utilized when the security credential is lost and/or is otherwise unavailable to a user.

Conversely, *Thompson* discloses receiving a password from a user (FIG. 4, block 404), determining whether the received password is valid (FIG. 4, block 408), and changing the password (FIG. 4, blocks 412, 414, 420). As illustrated in FIG. 4, the password of *Thompson* is known, and the user is merely changing the known password to a new known password. Consequently, nothing in *Thompson* is “recovered” and thus, the Office Action has failed to establish a proper 34 U.S.C. §102(b) rejection. For at least these reasons, Applicants respectfully traverse this rejection, and submits that claim 31 is allowable in view of the cited art.

#### **E. Claim 40 is Allowable Over Thompson**

The Office Action indicates that claim 40 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by European Patent Number 1,111,495 (“*Thompson*”). Applicants respectfully traverse this rejection on the grounds that *Thompson* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 40 recites:

A computing device, comprising:  
a processor; and  
a memory component that stores:

a security module disposed on the computing device and configured to control access to a secure computer resource associated with the computing device based on authentication of a security credential; and

a recovery module disposed on the computing device and configured to **enable a user to retrieve the security credential from the computing device using verification data disposed on the computing device without accessing a resource external to the computer device.**

**(Emphasis added).**



Applicants respectfully submit that claim 40 is allowable over the cited art for at least the reason that *Thompson* fails to disclose, teach, or suggest a “computing device, comprising... a memory component that stores... a recovery module disposed on the computing device and configured to **enable a user to retrieve the security credential from the computing device using verification data disposed on the computing device without accessing a resource external to the computer device**” as recited in claim 40. More specifically, the Office Action argues that *Thompson*, with regard to FIG. 4:

herein disclosed is information disposed on the client which implements a recovery mechanism... for the purpose of examination, the examiner interprets “to recover the security credential from the client” in a manner consistent with the applicant's specification. Specifically, the applicant states in paragraph 15, “For example, as used herein, “recovering” security credential 100 includes enabling the user to independently reset security credential 100, and/or automatically having security credential 100 reset for the user by security module 70 without assistance from support personnel or an external computer resource.

(OA page 3, line 13).

Applicants commend the Examiner for referring to the specification to determine the proper scope of claim elements, but respectfully disagrees with this analysis for at least the reason that the Office Action appears to analyze the passage cited from the specification in a vacuum. More specifically, beginning on the first line paragraph [0015], the present application states “[v]erification data 94 comprises information associated with a query/response mechanism to enable the user of client 12 to independently recover a security credential 10 independent of a computer resource external to client 12” (emphasis added). As illustrated in this passage, the term “recover” does not appear to be limited to merely resetting a security credential. The term “recover” instead is to be viewed as an action that is utilized when the security credential is lost and/or is otherwise unavailable to a user.

Conversely, *Thompson* discloses receiving a password from a user (FIG. 4, block 404), determining whether the received password is valid (FIG. 4, block 408), and changing the

password (FIG. 4, blocks 412, 414, 420). As illustrated in FIG. 4, the password of *Thompson* is known, and the user is merely changing the known password to a new known password. Consequently, nothing in *Thompson* is “recovered” and thus, the Office Action has failed to establish a proper 34 U.S.C. §102(b) rejection. For at least these reasons, Applicants respectfully traverse this rejection, and submits that claim 40 is allowable in view of the cited art.

**F. Claims 2 – 13, 15 – 18, 20 – 30, 32 – 39, and 41 – 46 are Allowable Over *Thompson***

The Office Action indicates that claims 2 – 13, 15 – 18, 20 – 30, 32 – 39, and 41 – 46 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by European Patent Number 1,111,495 (“*Thompson*”). Applicants respectfully traverse this rejection on the grounds that *Thompson* does not disclose, teach, or suggest all of the claimed elements. More specifically, dependent claims 2 – 13 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 1. Dependent claims 15 – 18 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 14. Dependent claims 20 – 30 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 19. Dependent claims 32 – 39 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 31. Dependent claims 41 – 46 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 40. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

## **CONCLUSION**

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

/afb/

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